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MEMO ENDORSED

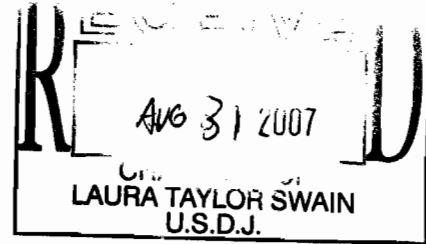
IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

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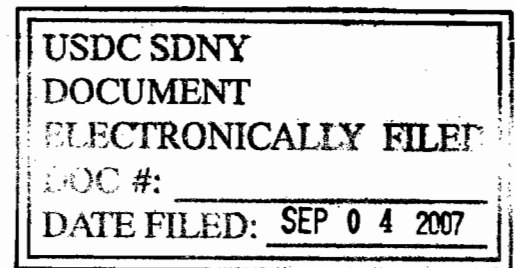
August 31, 2007

VIA REGULAR MAIL

Hon. Laura Taylor Swain, U.S.D.J.
United States District Court for the
Southern District of New York
500 Pearl St., Room 755
New York, NY 10007



Re: *Caremark, Inc. v. United Health Care et al.*
Civ. Act. No. 07 Civ. 5941 (LTS) (FM)
File No.: 2072-060089



Dear Judge Swain:

We represent the defendant United HealthCare Insurance Company with regard to the above referenced case. Enclosed are courtesy copies of Defendant United HealthCare Insurance Company's Sur-Reply Memorandum of Law Concerning Plaintiff's Motion To Remand dated August 31, 2007 and Sur-Reply Declaration of John T. Seybert dated August 31, 2007 with Exhibits 1-4. Both have been filed with the Court today *via* ECF.

Also, we have a scheduling conflict for the Initial Conference on September 28, 2007 as Michael Bernstein is currently scheduled to be out of state on that day for business. We respectfully request that the conference be adjourned to another date. We have advised plaintiff's counsel of the conflict.

Respectfully submitted,

John T. Seybert (JS-5014)
Sedgwick, Detert, Moran & Arnold LLP

The conference is adjourned
to October 5, 2007 at
2:30pm.

JTS/jts

Enclosures

cc: Abraham Wax, Esq.
Michael H. Bernstein, Esq.

SO ORDERED.

LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

NY/507717v1